IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 6527 OF 2006
ALONGWITH

WRIT PETITION NO. 6685 OF 2006

Manik Kedu Gangurde.... Petitioner

versus

M/s. Eknath Khemchand Agro Centre..... Respondent.

Shri Suresh M. Sabrad for the petitioner
Mrs.Sharvari Shailendra i/b. P.S.Dani for the respondent.

CORAM; A.P. DESHPANDE, J.
DATED; 15TH JUNE, 2007

P.C.;

1. An interlocutory order passed by the trial court allowing an amendment filed by the plaintiff has given raise in filing of these petitions in two identical suits. The trial court has found that the amendment appliction goes to elaborate and clarify the averments in relation to cause of action and limitation. The trial court has also found that the delay in making of the appliction was properly explined and the trial has yet not commenced the evidence and only an affidavit of examintion in chief of the plaintiff has been filed. Thus the trial court conclude that no prejudice would be caused to the defendant and bearing in mind the principle that the client should not

suffer for the mistake of the advocate, has proceeded to allow the amendment applicaiton. The impugned order is in furtherence of cause of justice.

2. Perused the order,it does not call for any interference at the hands of this Court more so in exercise of writ jurisdiction. Hence writ petitions are summarily dismissed.

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